

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NEAL ALLEN MADDOX,

Defendant.

CR 15–39–M–DLC–1

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on June 8, 2016. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Lynch recommended this Court accept Neal Allen Maddox’s guilty plea after Maddox appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of conspiring to distribute

methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 846 (Count I), and the possession of firearms in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1)(A)(I) (Count III), as set forth in the Indictment. Defendant agrees to the forfeiture allegation in the Indictment as more specifically agreed to in the parties' Plea Agreement. In exchange for Defendant's plea, the United States has agreed to dismiss Counts II and IV of the Indictment.

I find no clear error in Judge Lynch's Findings and Recommendation (Doc. 60), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Neal Allen Maddox's motion to change plea (Doc. 42) is GRANTED and Neal Allen Maddox is adjudged guilty as charged in Counts I and III of the Indictment.

DATED this 23<sup>rd</sup> day of June, 2016.



Dana L. Christensen, Chief District Judge  
United States District Court